

ESTTA Tracking number: **ESTTA298620**Filing date: **08/01/2009**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	David Aberizk		
Entity	Individual	Citizenship	UNITED STATES
Address	1016 First Street Coronado, CA 92118-1335 UNITED STATES		

Correspondence information	David Aberizk President ICI Integrated Consultants, Inc. 1016 First Street Coronado, CA 92118-1335 UNITED STATES daberizk@icpoc.com Phone:619-884-8191
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**Applicant Information**

Application No	77592570	Publication date	07/21/2009
Opposition Filing Date	08/01/2009	Opposition Period Ends	08/20/2009
Applicant	ICI Services, LLC 3800 Fetter Park Drive, Suite 202 Dumfries, VA 22025 UNITED STATES		

**Goods/Services Affected by Opposition**


Class 035. First Use: 2006/06/00 First Use In Commerce: 2006/06/00 All goods and services in the class are opposed, namely: business organization and management consulting services; logistics management services in the field of supply chain management; transportation logistics, namely, arranging the transportation of goods for others; Industrial asset management services, namely, auctioning, liquidating, deploying, disposing and remarketing industrial assets of others; personnel relocation services; business services, namely, facilities management of technical operations; procurement, namely, purchasing hazardous materials and automotive spare parts for others; database management; information and data compiling and analyzing relating to business management; supply chain management services
Class 039. First Use: 2006/06/00 First Use In Commerce: 2006/06/00 All goods and services in the class are opposed, namely: warehousing services; distribution services, namely, delivery of mail, technical periodicals, safety information, hazardous materials, automotive spare parts, military spare parts and supplies; packaging articles for transportation; shipping of goods
Class 040. First Use: 2006/06/00 First Use In Commerce: 2006/06/00 All goods and services in the class are opposed, namely: decontamination of hazardous materials
Class 042. First Use: 2006/06/00 First Use In Commerce: 2006/06/00 All goods and services in the class are opposed, namely: naval architectural design and marine engineering services; computer compatibility services, namely, data mapping; consulting services in

the field of environmental assessment, compliance and planning; testing or research on prevention of pollution; engineering services for building and property condition assessment, facility management, repair and restoration, building instrumentation and monitoring, and environmental consulting; land use planning services; evaluation and testing of real estate for the presence of hazardous material; database development services; information technology consultation

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
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## Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	3107760	Application Date	04/23/2004
Registration Date	06/20/2006	Foreign Priority Date	NONE
Word Mark	ICI INTEGRATED CONSULTANTS INCORPORATED		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1999/06/01 First Use In Commerce: 1999/06/01 TECHNICAL CONSULTATION IN THE FIELD OF ELECTRICAL, MECHANICAL, AND NUCLEAR ENGINEERING		

Related Proceedings	78/4007054-Registration Number 3107760 Mark: ICI Integrated Consultants, Inc.
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Attachments	78407054#TMSN.jpeg ( 1 page )( bytes ) Michael Webster Fax Rev1.pdf ( 2 pages )(40268 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/David Aberizk/
Name	David Aberizk
Date	08/01/2009

1016 First Street  
San Diego, CA 92118-1335  
T: 619-435-0081  
F: 619-435-0040  
[www.integratedconsultants.com](http://www.integratedconsultants.com)  
[DAberizk@icpoc.com](mailto:DAberizk@icpoc.com)

ICI Integrated Consultants, Inc.

FAX sent less Graphics

July 22, 2009

## FAX Transmission

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### TO:

Mr. Michael Webster      FAX. 571-273-9102  
Examining Attorney  
**USPTO Law Office 102**  
2250 E. Imperial Highway, Suite 450  
El Segundo, CA 90245-3546

### FROM:

Mr. David K. Aberizk      FAX. 619-435-0040  
President  
**Integrated Consultants, Inc.**  
1016 First Street  
Coronado, CA 92118-1335

Subject: **Opposition to Serial Number: 77592570 ICI ICI Services by Serial Number: 78/4007054-  
Registration Number 3107760 Mark: ICI Integrated Consultants, Inc.**

Dear Michael,

In response to Trademark Electronic Search System (TESS) Published for Opposition, dated July 21, 2009 for Serial Number 77592570. I, David K. Aberizk, owner of Registration Number 3107760, ICI Integrated Consultants, Inc. (published June 20, 2006) am completely and absolutely against the Word Mark request of ICI ICI-Services.

It is confusing to our common Government/NAVY client. Both companies hold SEAPORT Enhanced contracts, and regardless of the Goods and Services application claim, ICI Services web site and other listings present engineering as a key business area.

### From ICI-Services website:

"Our four Key Business Areas are **Engineering, Logistics, Technical Services** and **Program Management.**"

Highlighting Engineering (Ship) Design, Test and Evaluation. These are Electrical and Mechanical engineering functions.

### From Google:

[ICI Services | Home](#)

ICI, LLC- Provides DoD and Federal Government agencies with professional **services** including naval architecture, marine engineering, mechanical and ...

### From SBA Profile Highlights:

541330 Engineering Services:

541712 Research and Development in the Physical, Engineering, and Life Sciences

**ICI Integrated Consultants, Inc.**

Mr. Michael Webster  
July 22, 2009  
FAX Page 2 of 2

I believe highlighting ICI in any font, or highlighting ICI in any font followed by a name is an infringement

And a non highlighted use of ICI in a company name as ICI SERVICES is not.

ICI SERVICES

I, the undersigned, being warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18U.S.C. 10001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declare that the facts set forth in this opposition are true; all statements made of my own knowledge are true, and all statements made on information and belief, are believed to be true.

Respectfully submitted,  
ICI INTEGRATED CONSULTANTS, INC.

David K. Aberizk, P. E.  
President

DKA/daa

**ICI Integrated Consultants, Inc.**